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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/764,980	ROSENBLOOM ET AL.
	Examiner	Art Unit	
	TERESA WOODS	3686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>06/13/2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the amendment filed 04/08/09. Claims 17,

21 and 30 have been amended with added limitations. Claims 17 and 24 were

modified due to typographical corrections. Claims 1-38 remain pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

> 1.   Determining the scope and contents of the prior art.
> 2.   Ascertaining the differences between the prior art and the claims at issue.
> 3.   Resolving the level of ordinary skill in the pertinent art.
> 4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

4.   Claims 1, 10, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsay (US 5,915,971 A) in view of Mayaud (US 5,845,255).

5.   **Claim 1:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.1, column 2, lines 59-60);

- *a reader application, the reader application configured to display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information* (see at least Fig.6, Fig. 7, column 3, lines 1-10) ;

    This reference explains the necessity of parameters for displayable medical and drug information.

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Abstract, Fig.6, Fig. 7, column 5, lines 1-3).

    This reference shows the necessity of parameters for displayable, medical drug dosage. Ramsay does not disclose medical content pages. However, Mayaud discloses:

- *the general purpose computer configured with:*

> *a plurality of medical and drug information content pages* (M, See at least Fig. 3, Fig. 18, column 20, line 50 to column 21, line 64). The displayed patient prescription and condition information in figures 3 and 18 serve as electronic medical and drug content pages.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsay's dosage system and device with the medication information, patient prescription information and condition information of Mayaud generic calculator for a more comprehensive dosage evaluation system and method. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage, avoid any accidental over-dosages and provide better of healthcare patient's.

6. **Claim 10:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.1, column 2, lines 59-60);

- *a reader application, the reader application configured to display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information* (see at least Fig.6, Fig. 7, column 3, lines 1-10);

This reference explains the necessity of parameters for displayable medical and drug information.

- *a document manager application, configured to receive the plurality of parameter strings generated by the reader application and to provide medical and drug information content pages to the reader application* (see at least Fig.1 - Fig. 23, column 2, lines 10-13 and lines 23-24).

This reference shows how the parameters are used to produce medical dosage and drug information. This reference shows the necessity of parameters for displayable, medical drug dosage. Ramsay does not disclose medical content pages. However, Mayaud discloses:

- *the general purpose computer configured with:*

  a plurality of medical and drug information content pages (M, See at least Fig. 3, Fig. 18, column 20, line 50 to column 21, line 64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsay's dosage system and device with the medication information, patient prescription information and condition information of Mayaud generic calculator for a more comprehensive dosage evaluation system and method. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage, avoid any accidental over-dosages and provide better of healthcare patient's.

7. **Claim 14:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose handheld computer* (see at least Fig. 1, column 2, lines 59-60);

- *the general purpose handheld computer configured with:*

- *a plurality of medical and drug information content pages;*

- *a reader application, the reader application configured display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information* (see at least Fig.6, Fig. 7, column 3, lines 1-10);

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Abstract, Fig. 6, Fig. 7, column 5, lines 1-3);

- *a unit conversion calculator configured to receive at least one of the parameter strings generated by the reader application and to return converted units to the reader application* (see at least Fig. 10, column 6, lines 18-22).

- *wherein the document manager application further comprises a generic calculator* (see at least Fig. 19, column 7, lines 31-33),

This reference shows an optional, general purpose calculator typically provided in a word process. Ramsay discloses the limitations above. However,

Ramsay does not disclose the limitation below. Mayaud discloses the following limitations:

- *a document manager application, configured to receive the plurality of parameter strings generated by the reader application and to provide medical and drug information content pages to the reader application, and wherein the document manager application is linked to a calculator definition database and calculator lookup tables to provide calculator definitions to the generic calculator* (see at least Abstract, column 5, lines 43 to column 6, line 2)

- *the general purpose computer configured with:*

  a plurality of medical and drug information content pages (M, See at least Fig. 3, Fig. 18, column 20, line 50 to column 21, line 64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsay dosage system and device with the medication content pages of Mayaud for a more comprehensive dosage evaluation system and method. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage, avoid any accidental over-dosages and provide better of healthcare patient's.

8.   **Claim 16:**

Ramsay and Mayaud disclose the limitations as shown above. In addition, Ramsay discloses *wherein the parameter string sent from the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to* (see at least column 2, lines 57-67). Mayaud discloses *a user-selected medical condition and a user-selected drug* (see at least Fig. 20, column 14, lines 21-43). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's user-selected conditions, access to drug information content pages and drug information with the applicable dosage calculator of Ramsay for a more comprehensive dosage calculating device. This would allow medical evaluators or physicians the ability to correlate specific drugs with a particular medical condition. Therefore, it would improve the quality of healthcare to patients.

9.   **Claim 17:**

Ramsay, as shown, discloses the following limitations:

- *configuring the computing device with medical and drug information content pages and a drug dosing calculator* (see at least Fig. 6, Fig. 7, column 2, lines 57-60);

- *selecting a drug from a plurality of drugs displayed on the computing device* (see at least Fig. 6, column 5, lines 1-3) ;

- *displaying a calculated drug dose* (see at least Fig. 7, Fig. 8, column 5, lines 21-22 and lines 29-31).

  Ramsay does not disclose the following limitations:

- *passing drug dosing parameters corresponding to the selected medical condition and the selected drug to the drug dosing calculator* (see at least Fig. 20, column 4, lines 21-43);

- *displaying at least one medical and drug information content page on the computing device* (see at least Fig. 3, Fig. 18, column 20, line 50 to column 21, line 64);

- *selecting a medical condition from a plurality of medical conditions displayed on the computing device based on observations of a patient and displayed medical information* (see at least Fig. 3-5, Fig. 10, column 33, line 53 to column 34, line 15) ;

Mayaud discloses the limitation mentioned above. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's drug dosages based on medical conditions and access to drug information content pages with Ramsay's displayed computing device for a more comprehensive dosage calculating method. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any

accidental over-dosages of healthcare patient's. Therefore, it would improve the quality of healthcare for patients.

10.   Claims 2, 3, 5, 6, 8, 9, 11-13, 15 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsay (US 5,915,971 A) in view of Mayaud (US 5,845,255) further in view of Borkowski (US 6,025,984 A).

11.   **Claims 2 and 3:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitations, but Borkowski in at least column 3, lines 8 and line 55; column 7, lines 31-32 discloses:

- "*wherein the general purpose computer comprises a portable handheld computer*" (see at least).
- "*wherein the portable handheld computer comprises a Palm OS device*"

       It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's Palm OS device with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way.

12.   **Claim 5:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses "*further comprising a document manager application, configured to receive at least one of the plurality of parameter strings generated by the reader application and to provide medical and drug information content pages to the reader application*" (see at least Fig.3, column 10, lines 30-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's displayable document and drug information manager with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator for a more comprehensive handheld computer. This would give the medical evaluators or physicians the ability to provide better quality healthcare to their patients.

13.   **Claim 6:**

Ramsay discloses "*wherein the document manager application further comprises a generic calculator*" (see at least Fig.19, column 7, lines 31-33) *and "provide calculator definitions to the generic calculator*" (R, Fig. 6, column 5 lines 1-3). Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses *"wherein the document manager application is linked to a calculator*

definition database and calculator look up tables" (B, column 2, lines 58-61, column 9, lines 17-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's displayable document and drug information manager with Ramsay and Mayaud's generic calculator for a more comprehensive dosage calculating device. This would give the medical evaluators or physicians the ability to provide better quality healthcare to their patients.

14. **Claim 8:**

Ramsay and Mayaud disclose *"wherein the parameter string sent from the reader application to the drug dosing calculator application includes drug dosing parameters"* (see at least column 3, lines 1-8). Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses *"corresponding to medical and drug information included on a selected medical and drug information content page"* (see at least Fig. 3, column 10, lines 37-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's displayable drug information with Ramsay and Mayaud's dosage calculating parameters for a more comprehensive medical device. This would give the medical evaluators or physicians the ability to provide better quality healthcare to their patients.

15.   **Claim 9:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses "*wherein the parameter string sent from the reader application to the drug dosing calculator application comprises a plurality of parameter strings*" (see at least Fig. 3, column 10, lines 37-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's parameters with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way.

16.   **Claim 11:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses "*wherein the document manager application is configured to manage an integrated medical and drug information database, including updating and controlling access to medical and drug information content pages*" (see at least column 9, lines 13-14, column 6, lines 31-37). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine

Borkowski's accessible drug information with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly access information to provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way.

17. **Claim 12:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses "*wherein the document manager application is configured to allow access to medical drug information content pages during the time period of a user subscription*" (see at least column 9, lines 13-14, column 6, lines 31-37). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's accessible user subscription with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way.

18. **Claim 13:**

Ramsay and Mayaud disclose "*wherein the document manager application further comprises a generic calculator*" (see at least Fig.19, column 7, lines 31-33) *and "provide calculator definitions to the generic calculator"* (see at least Fig. 6, column 5 lines 1-3). Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses "*wherein the document manager application is linked to a calculator definition database and calculator look up tables*" (column 2, lines 58-61, column 9, lines 17-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's displayable document and drug information manager with Ramsay and Mayaud's generic calculator for a more comprehensive dosage calculating device. This would give the medical evaluators or physicians the ability to provide better quality healthcare to their patients.

19. **Claim 15:**

Ramsay and Mayaud disclose "*wherein at least one of the plurality of parameter strings includes drug dosing parameters*" (see at least column 3, lines 1-8). Ramsay and Mayaud do not disclose the following limitation, but Borkowski further discloses *"corresponding to medical and drug information included on a selected medical and drug information content page"* (see at least Fig. 3, column 10, lines 37-53). It would have been obvious to one of ordinary skill in the art at

the time of the invention to combine Borkowski's displayable drug information with Ramsay and Mayaud's dosage calculating parameters for a more comprehensive medical device. This would give the medical evaluators or physicians the ability to provide better quality healthcare to their patients.

20. **Claim 35:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.1, column 2, lines 59-60)*;*

- *the general purpose computer configured with:*

    a reader application, the reader application configured to display the drug information content pages and to generate a plurality of parameter strings in response to user- selected drug information (see at least Fig.6, column 5, lines 1-3)*;*

    This reference explains the necessity of parameters for displayable medical and drug information.

    Ramsay discloses the limitations above. However, Ramsay does not disclose the limitation below. Mayaud discloses the following limitations:

- *a reader application, the reader application configured to display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information* (M, See at Fig. 3, Fig. 7-10, Fig. 18, column 20, line 50 to column 21, line 64). The

figures show a software program serving as a reader application. In the citation, medical records, drug dosage, studies and alerts can serve as a plurality of parameter strings in response to user-selected medical and drug information.

- *a document manager application, configured to receive the plurality of parameter strings generated by the reader application and to generate application calls based upon the plurality of parameter strings; and* (M, See at least column , lines Fig. 3, Fig. 7-10, Fig. 18, column 7, lines 30-45, column 20, line 50 to column 21, line 64).

In the second citation, a document manager application is taught. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's document manager that generates calls with Ramsay's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage for prescriptions in an easy and accessible way. Therefore, it would improve the healthcare for patients.

21. **Claim 36:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses *wherein at least one of the receiving applications is a*

medical calculator (see at least Fig. 1, column 7, lines 40-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's accessible user subscription with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way. Therefore, it would improve the healthcare for patients.

22. **Claim 37:**

Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses *wherein at least one of the receiving applications is a drug interaction reference application* (see at least Fig. 1, column 7, lines 40-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's drug interaction reference with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide a comprehensive drug dosage device to avoid any negative drug interactions. Therefore, it would improve the healthcare for patients.

23.　**Claim 38:**

　　　　Ramsay and Mayaud disclose the limitations as shown in the rejections above. Ramsay and Mayaud do not disclose the following limitation, but Borkowski discloses *wherein at least one of the receiving applications is a drug dosing calculator* (see at least Fig. 1, column 7, lines 40-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Borkowski's dosage calculator with Ramsay and Mayaud's computer to retrieve drug information and dosage calculator. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any negative drug interactions in an easy and accessible way. Therefore, it would improve the healthcare for patients.

24.　Claims 19, 28, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayaud (US 5,845,255) in view of Ramsay (US 5,915,971 A).

25.　**Claim 19:**

Mayaud, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.16, column 45, lines 18-20)*;*

- *the general purpose computer configured with: a plurality of medical and drug information content pages wherein a first page of the medical information content pages includes information to assist in a diagnosis of a medical condition and a second page of the medical information content pages includes links to a predetermined selection of drugs corresponding to a given medical diagnosis;* (see at least Fig. 5, Fig.6, column 35, lines 1-11 and 36-43);

     This reference explains the necessity of parameters for corresponding diagnosis and drug information.

- *a reader application, the reader application configured to display the medical information content pages and to generate a plurality of parameter strings in response to a selection of links by a user;* (see at least Fig. 15, column 25, lines 50-54; column 28, lines 54-58).

     The first reference describes the computer link option, while the second reference shows a sample document of medical drug dosage as a displayable parameter.

- *a document manager application, configured to receive at least one of the plurality of parameter strings generated by the reader application and to provide medical information content pages to the reader application; and* (see at least Fig. 14, Fig. 15, column 25, lines 50-54);

This reference shows a sample document of medical drug dosage as a displayable parameter.

- *wherein at least one of the parameter strings generated by the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to a user-selected medical condition and a user-selected drug* (see at least Fig. 9, Fig. 10, column 38, lines 27-30).

Mayaud disclose the limitations above. However, Mayaud does not disclose the limitation below. Ramsay discloses the following limitations:

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Fig. 6-23, column 2, lines 57 to column 3, line 8),

Ramsay describes drug dosage as a one of the parameter strings in the application. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's document-base user application and access to drug information content pages with Ramsay's dosage calculator for a more comprehensive medical reference device. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any accidental over-dosages of healthcare patient's. Therefore, it would improve the quality of healthcare for patients.

26. **Claim 28:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.1, column 2, lines 59-60)*;*

- *a reader application, the reader application configured to display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information* (see at least Fig.6, Fig. 7, column 3, lines 1-10)*;*

    This reference explains the necessity of parameters for displayable medical and drug information.

- *a document manager application, configured to receive the plurality of parameter strings generated by the reader application and to provide medical and drug information content pages to the reader application* (see at least Fig.1 - Fig. 23, column 2, lines 10-13 and lines 23-24).

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Fig. 10, column 6, lines 18-22)*,*

    Ramsay discloses the limitations above. However, Ramsay does not disclose the limitation below. Mayaud discloses the following limitations:

- *the general purpose computer configured with:*

> *a plurality of medical and drug information content pages* (see at least Fig. 3, Fig. 18, column 20, line 50 to column 21, line 64);

- *wherein at least one of the parameter strings generated by the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to a user-selected medical condition and a user-selected drug* (see at least column 2, lines 57-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's user-selected conditions, access to drug information content pages and drug information with Ramsay's handheld, drug dosage, application manager for a more comprehensive dosage calculating device. This would allow medical evaluators or physicians the ability to correlate specific drugs with a particular medical condition. Therefore, it would improve the quality of healthcare to patients.

27. **Claim 33:**

The combination of Ramsay and Mayaud disclose the limitations above. In addition, Ramsay discloses the following limitations:

- *determines if the drug dosing calculation is one of the group consisting of weight-based, body-surface-area-based, and age-based* (see at least Fig. 4, Fig. 7, column 1, lines 28-36, column 4, lines 49-55);

- *prompt the user for the appropriate patient-specific value relating to the drug dosing calculation* (Ram, see at least Fig. 4, column 4, lines 49-55).

28.   **Claim 34:**

Mayaud, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.16, column 45, lines 18-20);

- *the general purpose computer configured with: a plurality of medical and drug*
  information content pages wherein a first page of the medical information
  content pages includes information to assist in a diagnosis of a medical
  condition and a second page of the medical information content pages
  includes links to a predetermined selection of drugs corresponding to a given
  medical diagnosis; (see at least Fig. 5, Fig.6, column 35, lines 1-11 and 36-*
  43);

      This reference explains the necessity of parameters for corresponding

diagnosis and drug information.

- *a reader application, the reader application configured to display the*
  medical information content pages and to generate a plurality of parameter
  strings in response to a selection of links by a user; (see at least Fig. 15,
  column 25, lines 50-54; column 28, lines 54-58).

      The first reference describes the computer link option, while the second

reference shows a sample document of medical drug dosage as a displayable

parameter.

- *a document manager application, configured to receive at least one of the plurality of parameter strings generated by the reader application and to provide medical information content pages to the reader application; and* (see at least Fig. 14, Fig. 15, column 25, lines 50-54);

This reference shows a sample document of medical drug dosage as a displayable parameter.

- *wherein at least one of the parameter strings generated by the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to a user-selected medical condition and a user-selected drug* (see at least Fig. 9, Fig. 10, column 38, lines 27-30).

Mayaud disclose the limitations above. However, Mayaud does not disclose the limitation below. Ramsay discloses the following limitations:

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Fig. 6-23, column 2, lines 57 to column 3, line 8),

Ramsay describes drug dosage as a one of the parameter strings in the application. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's document-base user application and access to drug information content pages with Ramsay's dosage calculator for a more comprehensive medical reference device. This would allow medical

evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any accidental over-dosages of healthcare patient's. Therefore, it would improve the quality of healthcare for patients.

29. Claims 7, 17, 28, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsay (US 5,915,971 A) in view of Mayaud (US 5,845,255 A).

30. **Claim 7:**

Ramsay and Mayaud disclose the limitations mentioned above. However, Ramsay and Mayaud do not disclose the limitation below. Mayaud further discloses "*wherein the parameter string sent from the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to a user-selected medical condition and a user-selected drug*" (See at least Fig. 3, Fig. 18, Fig. 20, column 21, lines 22-32, column 26, lines 39-60, column 34, lines 16-63). In the first citation, the entered condition filed serves as sent parameter strings. In the second citation, calculating drug dosages is

taught. In the third citation, both user-selected conditions and drugs are taught. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ramsay and Mayaud's dosage prescription system with the dosage calculation feature based on conditions and drugs of Mayaud for a more comprehensive dosage calculating device. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any accidental over-dosages of healthcare patient's.

31. **Claim 17:**

Ramsay, as shown, discloses the following limitations:

- *configuring the computing device with medical and drug information content pages and a drug dosing calculator* (see at least Fig. 6, Fig. 7, column 2, lines 57-60)*;*

- *displaying at least one medical and drug information content page on the computing device* (see at least Fig 6, column 5, lines 1-3)*;*

- *selecting a drug from a plurality of drugs displayed on the computing device* (see at least Fig. 6, column 5, lines 1-3) *;*

- *displaying a calculated drug dose* (see at least Fig. 7, Fig. 8, column 5, lines 21-22 and lines 29-31).

    Ramsay does not disclose the following limitations:

- *passing drug dosing parameters corresponding to the selected medical condition and the selected drug to the drug dosing calculator* (See at least Fig. 20, column 4, lines 21-43, column 26, lines 39-60).

- *selecting a medical condition from a plurality of medical conditions displayed on the computing device based on observations of a patient and displayed medical information* (See at least Fig. 3-5, Fig. 10, column 33, line 53 to column 34, line 15).

Mayaud discloses the limitation mentioned above. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's drug dosages based on medical conditions with Ramsay's displayed computing device for a more comprehensive dosage calculating method. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any accidental over-dosages of healthcare patient's. Therefore, it would improve the quality of healthcare for patients.

32. **Claim 28:**

Ramsay, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.1, column 2, lines 59-60);

- *the general purpose computer configured with:*

> a plurality of medical and drug information content pages (see at least Fig.6, column 5, lines 1-3);

- a reader application, the reader application configured to display medical and drug information content pages and to generate a plurality of parameter strings in response to user-selected medical and drug information (see at least Fig.6, Fig. 7, column 3, lines 1-10);

This reference explains the necessity of parameters for displayable medical and drug information.

- a document manager application, configured to receive the plurality of parameter strings generated by the reader application and to provide medical and drug information content pages to the reader application (see at least Fig.1 - Fig. 23, column 2, lines 10-13 and lines 23-24).

- a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application (see at least Fig. 10, column 6, lines 18-22),

Ramsay discloses the limitations above. However, Ramsay does not disclose the limitation below. Mayaud discloses the following limitations:

- wherein at least one of the parameter strings generated by the reader application to the drug dosing calculator application includes drug dosing

parameters corresponding to a user-selected medical condition and a user-selected drug (see at least column 2, lines 57-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Mayaud's user-selected conditions and drug information with Ramsay's handheld, drug dosage, application manager for a more comprehensive dosage calculating device. This would allow medical evaluators or physicians the ability to correlate specific drugs with a particular medical condition. Therefore, it would improve the quality of healthcare to patients.

33. **Claim 33:**

The combination of Ramsay/Mayaud discloses the limitations above. In addition, Ramsay discloses the following limitations:

- *determines if the drug dosing calculation is one of the group consisting of weight-based, body-surface-area-based, and age-based* (see at least Fig. 4, Fig. 7, column 1, lines 28-36, column 4, lines 49-55);

- *prompt the user for the appropriate patient-specific value relating to the drug dosing calculation* (Ram, see at least Fig. 4, column 4, lines 49-55).

34.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mayaud

(US 5,845,255 A) in view of Ramsay (US 5,915,971 A).

35.   **Claim 19:**

Mayaud, as shown, discloses the following limitations:

- *a general purpose computer* (see at least Fig.16, column 45, lines 18-20)*;*

- *the general purpose computer configured with: a plurality of medical and drug information content pages wherein a first page of the medical information content pages includes information to assist in a diagnosis of a medical condition and a second page of the medical information content pages includes links to a predetermined selection of drugs corresponding to a given medical diagnosis;* (see at least Fig. 5, Fig.6, column 35, lines 1-11 and 36-43);

       This reference explains the necessity of parameters for corresponding diagnosis and drug information.

- *a reader application, the reader application configured to display the medical information content pages and to generate a plurality of parameter strings in response to a selection of links by a user;* (see at least Fig. 15, column 25, lines 50-54; column 28, lines 54-58).

The first reference describes the computer link option, while the second reference shows a sample document of medical drug dosage as a displayable parameter.

- *a document manager application, configured to receive at least one of the plurality of parameter strings generated by the reader application and to provide medical information content pages to the reader application; and* (see at least Fig. 14, Fig. 15, column 25, lines 50-54);

This reference shows a sample document of medical drug dosage as a displayable parameter.

- *wherein at least one of the parameter strings generated by the reader application to the drug dosing calculator application includes drug dosing parameters corresponding to a user-selected medical condition and a user-selected drug* (see at least Fig. 9, Fig. 10, column 38, lines 27-30).

Mayaud disclose the limitations above. However, Mayaud does not disclose the limitation below. Ramsay discloses the following limitations:

- *a drug dosing calculator application configured to receive at least one of the parameter strings generated by the reader application and to return dosing information to the reader application* (see at least Fig. 6-23, column 2, lines 57 to column 3, line 8),

Ramsay describes drug dosage as a one of the parameter strings in the application. It would have been obvious to one of ordinary skill in the art at the

time of the invention to combine Mayaud's document-base user application with Ramsay's dosage calculator for a more comprehensive medical reference device. This would allow medical evaluators or physicians the ability to quickly provide the correct drug dosage and avoid any accidental over-dosages of healthcare patient's. Therefore, it would improve the quality of healthcare for patients.

Response to Arguments

36. Applicant' arguments with respect to claims 1 and 10 have been fully considered but are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 04/08/09.

37. (1) Regarding the argument that the Ramsay's reference does not teach medical content pages, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Mayaud includes patient prescription and condition information as access allowed, electronic medical and drug content pages.

38. (2) Regarding the argument that neither the Ramsay's nor Borkowski references teach a document manager application, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Mayaud's electronic medical and drug content pages teach extensive document management.

39. (3) Regarding the argument that neither the Ramsay nor Mayaud references teach drug dosage parameters corresponding to both user-selected medical conditions and drugs, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case,. Rather, Mayaud calculates drug dosage and possesses a Condition List Selection feature, which is cited above.

Conclusion

40.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

41.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to TERESA WOODS whose telephone number is (571)

270-5509. The examiner can normally be reached on Mon-Fri, 7:30am - 5:00 pm, east.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

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09/17/09

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